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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/807,445	05/23/2001	Martin Vogel	P20684	6733

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EXAMINER

SHAPIRO, LEONID

ART UNIT	PAPER NUMBER
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2673

DATE MAILED: 04/08/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/807,445

Applicant(s)

VOGEL ET AL.

Examiner

Leonid Shapiro

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-30 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 11-30 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 May 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) Z. 6) ☐ Other:

Drawings

1. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

2. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 25, 27-30 are rejected under 35 U.S.C. 102(a) as being anticipated by Eastty et al. (US Patent No. 6,359,632 B1).

As to claim 25, Eastty et al. teaches an audio signal processing apparatus comprising: an operating surface (See Fig. 1, items 10, 30, in description See Col. 2, Lines 15-27) with at least two operating elements structured and arranged to set values related to at least one of a configuration for the processing audio signals and parameters (GAIN, DELAY in the Eastty et al. reference) for the processing of the audio signals (See Figs. 1, 6A, items 20, 50, GAIN,

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DELAY, in description See Col. 2, Lines 15-26 and from Col. 3, Line 52 to Col. 4, Line 23); a at least one screen structured and arranged to display set values of at least two operating elements (See Figs. 6A-6B, items GAIN, PAN, in description See from Col. 3, Line 52 to Col. 4, Line 23); a computer coupled to at least two operating elements and to at least one screen, structured and arranged to acquire set values and transmit set values to at least one screen for display (See Fig. 1, 6A, items 20, 30, GAIN, in description See Col. 2, Lines 19-26 and Col. 3, Lines 1-7); a signal processor coupled to computer, wherein computer transmits set values to signal processor to adjust the processing of the audio signals by signal processor (See Fig. 1, items 20, 50, in description See Col. 2, Lines 19-26).

As to claims 27-28, Eastty et al. teaches one of operating elements is structured and arranged to define a configuration for the processing of the audio signals and adjust a value of at least one selected parameter without changing configuration (See Figs. 1, 6A, items 20, 50, in description See Col. 2, Lines 19-26 and from Col. 3, Line 52 to Col. 4, Line 24).

As to claim 29-30, Eastty et al. teaches computer is structured and arranged to acquire states of at least two elements via signals in at least two fields of screen and display these states on screen (See Fig. 1, 6B, items 20, 50, in description See Col. 3, Lines 1-6 and from Col. 3, Line 52 to Col. 4, Line 23).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 11-16, 19-24, rejected under 35 U.S.C. 103(a) as being unpatentable over Eastty et al. in view of Bergman et al. (US Patent No. 5,859,631).

As to claim 11, Eastty et al. teaches a device for setting values for processing of audio signals, with a signal processor (See Fig. 1, item 50, in description See Col. 2, Lines 15-18); at least two elements structured and arranged for at least one of manually entering and adjusting the values (See Fig. 6A, items GAIN, DELAY, in description See from Col. 3, Line 52 to Col. 4, Line 23); a screen for displaying the at least one of entered and adjusted values, screen comprising at least two fields (See Figs. 6A-6B, items GAIN, PAN, in description See from Col. 3, Line 52 to Col. 4, Line 23); a computer coupled to at least two elements via connections in front of the screen, computer being structured and arranged to acquire the at least one of the entered and adjusted values and to display acquired value on at least two fields of screen (See Fig. 1, 6A, items 20, 30, GAIN, in description See Col. 2, Lines 19-26 and Col. 3, Lines 1-7); computer being coupled to signal processor for processing of audio signals and structured and arranged to transmit control commands to signal processor for processing the audio signals according to at least one of manually entered and adjusted values established by at least two elements (See Fig. 1, items 20, 50, in description See Col. 2, Lines 19-26).

Eastty et al. does not show a carrier for at least two elements being located, relative to a viewing direction of the screen, in the front of screen.

Bergman et al. teaches a carrier for at least two elements being located, relative to a viewing direction of the screen, in the front of screen (See Fig. 1, items 4, 8, 10, in description See from Col. 2, Line 65 to Col. 3, Line 31). It would have been obvious to one of ordinary skill in

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the art at the time of invention to implement a carrier as shown by Bergman et al. in the Eastty et al. apparatus in order to provide front panel having additional mechanical user interface that is simple to alter (See Col. 1, Lines 39-41 in the Bergman et al. reference).

As to claim 12, Eastty et al. teaches set values of the at least one of manually entered and adjusted values depend upon position of at least two elements (See Fig. 6A, items GAIN, DELAY, in description See from Col. 3, Line 52 to Col. 4, Line 23).

As to claim 13, Bergman et al. teaches carrier includes transparent regions assigned to at least two elements (See Fig. 1, items 4, in description See from Col. 2, Line 64 to Co. 3, Line 1).

As to claim 14, Eastty et al. teaches computer determines a configuration for the processing of the audio signals in the signal processor (See Fig. 1, items 20, 50, in description See Col. 2, Lines 19-26).

As to claim 15, Bergman et al. teaches a device for mounting electronic components is positioned between carrier and screen (See fig. 1, items 4,6,8,10).

As to claim 16, Bergman et al. teaches a device for mounting electronic components is positioned between carrier and screen (See fig. 1, items 4,6,8,10, in description See from Col. 2, Line 64 to Co. 3, Line 31).

As to claim 19, Eastty et al. teaches computer is structured and arranged to determine a configuration of the device by detecting positions of at least two elements (See Fig. 1, 6B, items 20, 50, in description See Col. 3, Lines 1-6 and from Col. 3, Line 52 to Col. 4, Line 23).

As to claim 20, Eastty et al. teaches additional elements which are different (See Fig. 1, 6B, items 20, 50, in description See Col. 3, Lines 1-6 and from Col. 3, Line 52 to Col. 4, Line 23).

As to claims 21-22, 24, Eastty et al. teaches computer is structured and arranged to acquire states of at least two elements via signals in at least two fields of screen and display these states on screen (See Fig. 1, 6B, items 20, 50, in description See Col. 3, Lines 1-6 and from Col. 3, Line 52 to Col. 4, Line 23).

As to claim 23, Eastty et al. teaches at least one element which is an operating element structured and arranged for configuring an audio mixer (See Fig. 1, in description See Col. 1, Lines 15-18).

5. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eastty et al. and Bergman et al. as aforementioned in claim 11 in view of Silfvast (US Patent No. 5,959,610).

Eastty et al. and Bergman et al. do not show at least one shaft encoder.

Silfvast teaches a shaft encoder in computer-mirrored panel input device (See Figs. 3, 5A, items 25,27,29, in description See from Col. 2, Line 64 to Col. 3, Line 10 and Col. 5, Lines 23-24). It would have been obvious to one of ordinary skill in the art at the time of invention to implement a shaft encoder as shown Silfvast in the Bergman et al. and Eastty et al. apparatus in order to provide front panel having additional mechanical user interface that is simple to alter (See Col. 1, Lines 39-41 in the Bergman et al. reference).

6. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eastty et al. and Bergman et al. as aforementioned in claim 11 in view of Jaeger (US Patent No. 5,786,811).

Eastty et al. and Bergman et al. do not show at least one linearly adjustable transmitter.

Jaeger teaches a linearly adjustable transmitter (See Figs. 36-38, items 246-249, in description See from Col. 21, Line 60 to Col. 23, Line 26). It would have been obvious to one of ordinary skill in the art at the time of invention to implement a linearly adjustable transmitter as shown Jaeger in the Bergman et al. and Eastty et al. apparatus in order to provide front panel having additional mechanical user interface that is simple to alter (See Col. 1, Lines 39-41 in the Bergman et al. reference).

7. Claim 26 rejected under 35 U.S.C. 103(a) as being unpatentable over Eastty et al. as aforementioned in claim 25 in view of LeBrat et al. (US Patent No. 5,339,166).

Eastty et al. does not show algorithm library coupled to computer and signal processor.

LeBrat et al. teaches the algorithm library connected to the computer (See Fig. 7, steps 1001-1016, in description See Col. 22, Lines 44-57). It would have been obvious to one of ordinary skill in the art at the time of invention to add the algorithm library as shown by LeBrat et al. in Eastty et al. apparatus in order to provide variety of extensions to the existing functions (See Col. 1, Lines 8-11 in the LeBrat et al. reference).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

The East et al. (US Patent No. 5,940,521) reference discloses audio mixing consol.

The East et al. (US Patent No. 6,061,458) reference discloses audio mixing consol.

The East et al. (US Patent No. 5,930,375) reference discloses audio mixing consol.

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Telephone inquire

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonid Shapiro whose telephone number is 703-305-5661. The examiner can normally be reached on 8 a.m. to 5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 703-305-4938. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.

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April 4, 2003



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